

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

Plaintiff,

-against-

OSWALD LEWIS,

Defendant.

-----X  
GLASSER, United States District Judge:

ORDER  
14 CR 523 (ILG)

In a letter dated October 26, 2016, DE 173, the defendant “respectfully requests to be taken by the Bureau of Prisons.” He states that he “is in fear of being in the total control custody of the USMS and would like to be sent to a prison within the 500 mile range close to his family . . . .” His letter is regarded by the Court as a motion and it is hereby DENIED for the reasons that he is not in the “control custody of the USMS” and the authority to designate his place of confinement rests with the Bureau of Prisons.

18 U.S.C. § 3621(a) provides, in relevant part that: “A person who has been sentenced to a term of imprisonment . . . shall be committed to the custody of the Bureau of Prisons until the expiration of the term imposed . . . .” Subsection (b) provides, in relevant part: “The Bureau of Prisons shall designate the place of the prisoner’s imprisonment.” (emphasis added).

SO ORDERED.

Dated: Brooklyn, New York  
October 28, 2016

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/s/  
I. Leo Glasser

Foregoing Order was filed on ECF and a copy mailed to:

Oswald Lewis

85358-053

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